

(Regulations of the Fair Political Practices Commission Title 2, Division 6, California Code of Regulations)

§ 18431. Reporting of Expenditures by an Agent or Independent Contractor.

(a) The following expenditures, and all similar expenditures, when made by an agent or independent contractor, including any vendor or subvendor, on behalf of or for the benefit of a candidate or committee, must be reported under Government Code Section 84303. Expenditures not of the types included below do not have to be reported. Expenditures which must be reported include:

(1) Expenditures to any person, other than an employee of the agent or independent contractor, for expert advice, expert analysis, or campaign management services, including but not limited to analysis, advice, or management services in connection with:

- (A) Development of campaign strategy;
- (B) Campaign management;
- (C) Design or management of campaign literature or advertising;
- (D) Campaign fund raising.

(2) Expenditures to any person, other than an employee of the agent or independent contractor, who furnishes the candidate or committee with products or services which show how the campaign is conducted, including but not limited to expenditures for:

- (A) Printed campaign literature;
- (B) Advertising time or space;
- (C) Campaign buttons and other campaign paraphernalia;
- (D) Surveys, polls, signature gathering and door-to-door solicitation of voters;
- (E) Facilities, invitations, or entertainment for fundraising events;

(F) Postage for campaign mailings.

(3) Any expenditures:

(A) To the candidate;

(B) To any person for the personal use of the candidate, or his or her family;

(C) Which are gifts to any person;

(D) To or on behalf of any other candidate or committee;

(E) To printers of mass mailings;

(F) To any person who transfers funds to any other person for expenditures which are reportable under this section;

(G) For any commission, finder's fee or rebate provided to any person in connection with any expenditure reportable under this section if the commission, finder's fee or rebate is inconsistent, in either manner or amount, with customary industry practice.

(b) Expenditures which are made directly from a candidate's or committee's account, are charged to the candidate's or committee's credit, or are reimbursed to a committee employee from the candidate's or committee's account do not have to be reported under Government Code Section 84303.

(c) An expenditure which is required to be reported by Government Code Section 84303 must be reported by the candidate or committee at the same time and in the same manner and detail as required under Government Code Section 84211 for the candidate's or committee's direct expenditures.

(d) An agent or independent contractor who makes an expenditure on behalf of or for the benefit of a candidate or committee which is required to be reported under Government Code Section 84303 shall make known to the candidate or committee all the information required for

reporting the expenditure under Government Code Section 84211. A subagent or subvendor may make the report required by this section to his or her principal, who shall then report the expenditure to the committee or candidate. An agent or independent contractor shall report all expenditures required to be reported under Government Code Section 84303 no later than three working days prior to the time the campaign statement reporting the expenditure is required to be filed, except that an expenditure which must be reported under Government Code Sections 84203 or 84204 shall be reported to the candidate or committee within 24 hours of the time it is made.

Note: Authority cited: Section 83112, Government Code. Reference: Section 84303, Government Code.

HISTORY

1. New section filed 8-10-84; effective thirtieth day thereafter (Register 84, No. 32).
2. Amendment of subsection (a)(2)(G), repealer of subsection (d) and relettering of subsection (e) to subsection (d) filed 1-4-85; effective thirtieth day thereafter (Register 85, No. 1).
3. Amendment of subsection (c) filed 6-17-85, effective thirtieth day thereafter (Register 85, No. 25).
4. Amendment of subsection (d) filed 3-3-86; effective thirtieth day thereafter (Register 86, No. 10).